

REMARKS

The Office action dated August 25, 2005, and the references cited therein have been received and carefully reviewed.

As a result of the Office action, a number of objections in connection with the specification together with a number of Section 112, second paragraph, indefiniteness rejections in connection with claims 1-8 have been raised, all of which objections and rejections are believed to have been overcome by the above amendment. No new matter has been added.

Moreover, claims 1, 2, 4, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoe. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoe. And, claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoe in view of Nishimura. These references have been carefully reviewed but are not believed to show or suggest Applicants' invention as now claimed in any manner. Reconsideration and allowance of the pending claims is therefore respectfully requested in view of the following remarks.

By the above amendment, claim 1 has been amended to better define the claimed invention over the prior art, and to include substantially the limitations of claim 4, and claim 4 has been canceled without prejudice or disclaimer. Claim 1

now requires a first oblique layer formed from wires that form a first acute angle to a perpendicular to the turns of the cable, a transverse layer formed from wires that form a right angle to the turns of the cable, a second oblique layer formed from wires that form a second acute angle to a perpendicular to the turns of the cable, the second acute angle extending in the opposite direction to the first acute angle, wherein the transverse layer is disposed in between the first oblique layer on the bottom and the second oblique layer on the top, and wherein the first oblique, transverse, and second oblique layers are formed above the parallel and longitudinal turns, wherein the first acute angle is between 15 and 25 degrees and the second acute angle is between 15 and 25 degrees, and the first and the second acute angles are perpendicular to a longitudinal axis of the flexible belt track and to the turns of the cable.

Essentially, the distinguishing limitations of the claimed invention are: 1) the transverse layer is sandwiched between the first and the second oblique layers, and 2) the angles of the weft of the layers and the manner in which they are measured.

Yoe neither teaches or discloses a first oblique layer, a second oblique layer, and a transverse layer, wherein the transverse layer is sandwiched between the first and the second transverse layers, nor the specific range of angles and

the manner in which they are measured relative to one another, as now required by claim 1.

Yoe teaches three breaker plies 31, 32, and 33 each made of flexible inextensible wire or fabric cord in which the cord in each ply runs in a parallel direction by the cords in adjacent plies are at cross angles to each other. Preferably, the breaker 31 has cords extending at 90 degrees relative to the longitudinal axis of the track whereas the cords of the breakers 32 and 33 are cross angled to each other and extend at a relatively low angle, for example 25 to 15 degrees, relative to that axis.

However, as best seen in Figure 2, the two oblique layers, that is, the breaker plies 32 and 33, are adjacent and positioned on top of one another, and the transverse layer, that is, the breaker ply 31, is positioned adjacent or underneath the breaker ply 32, wherein the breaker ply 32 is actually sandwiched between the breaker ply 31 and the breaker ply 33.

Moreover, because the angles of the cords of the breaker plies of Yoe are measured in a manner which requires the measuring relative to the longitudinal axis of track, as opposed to a horizontal axis or an axis perpendicular to the longitudinal axis as required by the claimed invention, the specific range of the angles results in a different angular orientation of the cords and the plies relative to one

another. Therefore, in view of foregoing, it is respectfully submitted that claim 1 is patentable over the prior art.

Nishimura does not address the shortcomings of Yoe as discussed hereinabove. Therefore, it is believed that dependent claims 2-3 and 5-8 are patentable for the same reasons provided in connection with claim 1.

The prior art references made of record by the examiner have each been considered but are not believed to obviate against the allowability of the claims as amended. It is noted that none of these references have been specifically applied by the examiner against any of the original claims.

Each issue raised in the Office action dated August 25, 2005, has been addressed and it is believed that claims 1-3 and 5-8 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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